

Appl. No. 09/826,791
Response dated January 21, 2004
Reply to Office Action of August 21, 2003

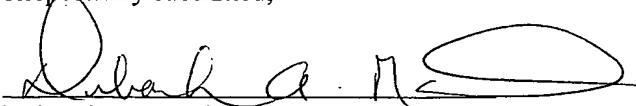
Remarks/Arguments:

1. Claims 1, 3-6, 22, 24-26, and 33 are pending. Claims 1 and 3-6 stand rejected as further discussed below. Claims 22, 24-26 and 33 are allowed.
2. Claims 1 and 6 are currently amended to state that the recombinant polypeptide encoded by claimed polynucleotide is activated by leukotriene C4 or leukotriene D4. Support for this amendment is found in the specification, for example, from page 56, line 26, to page 57, line 20, and from page 73, line 13, to page 74, line 16. Claim 6 is further amended to state that the polypeptide encoded by the polynucleotide is contained in the claimed membrane preparation. Support for this amendment is found in the specification, for example, at page 34, lines 28-34. Accordingly, no new matter is added by these amendments.
3. Written Description - 35 U.S.C. § 112, first paragraph
Claims 1 and 3-6 stand rejected for inadequate written description as related to polynucleotide sequences having at least 95 % identity to the disclosed sequences. The Examiner asserts that the specification fails to describe the complete structure of polynucleotides having 95% identity to SEQ ID NO: 1 or 5, or encoding SEQ ID NO: 2 or 6, fails to recite other relevant structural and functional characteristics, and fails to provide a representative number of species of the claimed genus.
Applicant has amended claims 1 and 6 to describe the claimed polynucleotide as being activated by leukotriene C4 or leukotriene D4. As the Examiner will appreciate, the specification provides adequate written description of the claimed polynucleotide, as currently amended, by providing definitive structural (95% identity) and functional (activated by leukotriene C4 or leukotriene D4) description (see specification, for example, from page 56, line 26, to page 57, line 20, and from page 73, line 13, to page 74, line 16), as well as the representative sequences SEQ ID NO: 1, 2, 5 and 6, such that one skilled in the art could readily identify a polynucleotide encompassed by the claims and recognize that Applicant was in possession of the claimed genus. Accordingly, entry of the amendment hereinabove and reconsideration of the Office Action mailed August 21, 2003 are respectfully requested.
4. Novelty - 35 U.S.C. § 102(b)
Claim 6 stands rejected as anticipated in view of Julius et al. on the basis that the claim does not require that the recombinant polypeptide, produced by one of the claimed polynucleotide sequences, be present in the claimed membrane preparation. Claim 6 is currently amended to limit the claimed membrane preparation to one that contains a polypeptide produced by expression of one of the claimed polynucleotides used to transfet or transform a host cell. Accordingly, entry of the amendment hereinabove and reconsideration of the Office Action mailed August 21, 2003 are respectfully requested.
5. Applicant believes that the amendments hereinabove place the Application in condition for immediate allowance. Therefore, entry of the amendments hereinabove, and reconsideration of the Office Action mailed August 21, 2003 are respectfully requested. Such prompt and favorable action is earnestly solicited.

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Respectfully submitted,


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